



Information Package

Regional Planning & Development

11 June 2014

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Environmental Policy

Status of Plan Changes

(Report prepared by Mark Caldwell)

W045-15-00 & M135-15-00

The tables below lists the plan changes currently being processed by Council in accordance with the First Schedule of the Resource Management Act 1991 and their current status.

Since the last status report the following has occurred:

- The Supreme Court has issued a decision on the New Zealand King Salmon Plan Change. The Plan Change was adopted at the last full Council meeting and has been referred to the Minister of Conservation for approval.
- Item 6 the Utilities provision in Plan Change 61 has been made operative.
- Plan Changes 27 & 62 – New Dairy Farms has been made operative.
- The Environment Court decision on Plan Change 59 has been appealed to the High Court by the Omas Aviation Cluster.
- A decision has been made on Plan Changes 64 – 71 – Blenheim Urban Growth.
 - Plan Change 64 – Approved
 - Plan Change 65 – Approved with modification
 - Plan Change 66 – Approved with modification
 - Plan Change 67 – Approved with modification
 - Plan Change 68 – Declined
 - Plan Change 69 – Approved with modification
 - Plan Change 70 – Declined
 - Plan Change 71 – Approved with modification

Marlborough Sounds Resource Management Plan		
Plan Change No.	Description	Status
PC21	Waikawa Bay Mooring Management Areas and Marina Zone Extension (Private Plan Change)	Currently under appeal by applicant. Negotiations are proceeding between requestor (Port Marlborough), submitter and Council.
PC23	Frost Fans	Currently under appeal by submitter. Second interim Environment Court decision issued.
PC24	New Zealand King Salmon – Plan change request lodged with the Environmental Protection Authority	Three successful Coastal Marine Zone 3 sites and provisions adopted by the Council and forwarded to Minister of Conservation for his approval.

Marlborough Sounds Resource Management Plan		
PC26	Minor Amendments	Item 5 (Amendments to marine farming rules) referred to the Minister of Conservation for approval. Operative date for the remainder of items was the 20 March 2014
PC27	New Dairy Farms	Now fully operative – 29 May 2014

Wairau/Awatere Resource Management Plan		
Plan Change No.	Description	Status
PC58	Frost Fans	Currently under appeal by submitter. Second interim Environment Court decision issued.
PC59	Colonial Vineyard Limited (Private Plan Change)	The Environment Court decision on Plan Change 59 has been appealed to the High Court by the Omaka Aviation Cluster.
PC60	Maxwell Hills Zone (Private Plan Change)	The applicant has withdrawn the appeal against the decision of Council to decline Plan Change 60.
PC61	Minor Amendments	Operative date for Item 6 is the 29 May 2014 The operative date for the remainder of the Items in the Plan Change was the 20 March 2014.
PC62	New Dairy Farms	Now fully operative – 29 May 2014
PC64	Urban Growth Area One	Decision date 21 May 2014
PC65	Urban Growth Area Two	Decision date 21 May 2014
PC66	Urban Growth Area Three	Decision date 21 May 2014
PC67	Urban Growth Area Four	Decision date 21 May 2014
PC68	Urban Growth Area Five	Decision date 21 May 2014
PC69	Urban Growth Area Six	Decision date 21 May 2014
PC70	Urban Growth Area Seven	Decision date 21 May 2014
PC71	Urban Growth Area – Plan Provisions	Decision date 21 May 2014

Activity Report – June

(Report prepared by Pere Hawes)

R425-02-00, M090-02-00

Marlborough Regional Policy Statement

- The Water Allocation Working Group has met once since the last Committee meeting. Notes from that meeting are reported in this information package. The two main issues addressed by the Group have been, firstly, ensuring that the expression of allocation is practical and reflects local conditions, and secondly, establishing appropriate management of the effects of groundwater abstraction on rivers. At its next meeting on 18 June the Group will be finalising draft RPS provisions.
- A report has been received on the rural character of the Southern Valleys (including Weld Pass and Redwood Pass). The report was partly commissioned in response to approaches by the Omaka Valley Residents Association to the Plan Review Sub-committee to provide greater protection to the amenity of the Omaka Valley. The report will be reported to the Committee at a future date. The content will be used to help define the current rural characteristics of the Southern Valleys.
- Staff are set to commence consultation with marine farmers, central government agencies, other relevant interest groups and the wider community on draft marine farming provisions. These provisions will be based on the current distinction between CMZ1 and CMZ2 (i.e., coastal marine area in which marine farming is inappropriate and coastal marine area in which an application can be made to establish/continue marine farming). A discussion document is being prepared and will be hosted on the Council website for feedback.

Resource Management Plan

- The Council has received an Envirolink funded report from the Cawthron Institute reviewing the water quality standards in the current resource management plans. The report recommends continuing with water quality classifications and standards to manage the adverse effects of point source discharges to water. The report notes that there have been significant advances in the practices used to assess freshwater quality and this is reflected in recommended changes to the standards. The report will be reported to the next Committee meeting.
- As recorded in the minutes in this Information Package, the Water Allocation Working Group has finalised the draft rules for the taking, use, damming and diversion of water to be used as part of the community consultation process.
- Work to review/establish noise exposure overlays and take-off/landing protection mechanisms for Woodbourne, Omaka and Koromiko airports is ongoing. It is anticipated that the work for each airport might be completed over different time scales.
- Work is nearing completion on the review of the noise management provisions for the Port zone. This work, jointly funded by the Council and Port Marlborough, builds on earlier work undertaken to solve an appeal to the Marlborough Sounds Resource Management Plan but also requires updating due to a change in NZ standards.
- A package of draft discharge to land provisions has been prepared to support consultation with agricultural interests. The nature of substantive changes has previously been provided to the Committee. In summary, a risk based approach based on soil type has been utilised to determine activity status (i.e., higher risk soils invoke a resource consent requirement). This builds on work undertaken by the Environmental Science and Monitoring Group, particularly Dr Colin Gray.
- A focus over the past six weeks has been provisions to protect amenity values in residential and commercial environments. This builds on the work undertaken by Urbanism+ as part of the Growing Marlborough process.

- Landowners in the Marlborough Sounds are about to receive letters confirming the outcome of the consultation process for managing significant landscapes in that coastal environment. This completes the consultation exercise on significant landscapes commenced in December 2011. This work has been managed by Emma Richardson and the extraordinary effort she has put into this process is acknowledged. In particular, she showed considerable skill liaising with landowners in what were often situations that involved considerable emotion. Emma has of course resigned from the Council to pursue a PhD and is about to leave for Papua New Guinea to undertake the field component of her studies. I wish her all the best with that study and wherever that may take her in the future.
- Following a review of the existing Local Recreation, District Recreation and Conservation zone provisions, drafting of updated provisions has commenced in consultation with Reserves staff and the Department of Conservation. Note these zones will be changing to Open Space 1, 2 and 3 respectively. Land in floodways in the existing Wairau/Awatere Resource Management Plan is also being removed from the Conservation zone (or Open Space 3 zone) and will have a stand-alone Floodway zone apply.

Water Allocation Working Group Notes

(Report prepared by Rachel Anderson)

R425-02-18-08

The notes of the Water Allocation Working Group meeting held on 9 May 2014 are **attached** for the members' information. The April meeting was cancelled due to a number of Group members being unavailable as a result of wet weather coinciding with harvest. Due to the size of the appendices attached to the meeting notes they have not been included in the information pack, however they are available on request.

Notes of a Meeting of the WATER ALLOCATION WORKING GROUP held in the Meeting Room, Chateau Marlborough, High Street, Blenheim at 8.30am on Friday 9 May 2014

Present

Clr G Evans, John Bright, John Hickman, Francis Maher, Dr R Balasubramaniam (Bala), Mike Insley, Dr John Small, and Dominic Pecchenino

In Attendance

Pere Hawes, Rachel Anderson, Val Wadsworth, Peter Davidson, John Patterson and Sue Bulfield-Johnston

Apologies

Guy Lissaman, Steve Wilkes and Neil Deans

The following documents were circulated prior to the meeting:

- Notes of WAWG Meeting 14 March 2014. Trim ref 1490638 – copy attached – Appendix 1.
- Wairau River allocation status and reliability – background paper. Trim ref 14114923. Copy attached – Appendix 2
- Review of the Wairau River Sustainable Flow Regime Report by J Hay and J Hayes, Cawthron Institute. Trim ref 14104239 – copy attached – Appendix 3.
- Consolidated draft RPS provisions. Trim ref 1493683 – copy attached – Appendix 4
- Draft RMP Rules. Trim ref 1466925 – copy attached – Appendix 5

1. Matters Arising

Minutes of the previous meeting

Item 2 – Management of the interaction between groundwater and surface water.

The group continued the discussion relating to the above item. Val presented further information on this subject – see item 2 below.

2. Managing groundwater and surface water interaction – Val Wadsworth

Val tabled a document entitled Stream Depletion Effects - The Puzzle, Managing Groundwater Takes to Protect Surface Water SFRs copy attached – refer Appendix 6.

Val provided an overview of his Stream Depletion Effects report, drafted following the groups previous discussion on managing the interaction between groundwater and surface water (Item 2 of previous minutes). In his report, Val compared different stream depletion analysis scenarios in order to illustrate the effect that distance from the river has on the extent of depletion. He also modelled the effect of cutting back abstraction from a gallery, and what the timing of the positive effects on stream flow are likely to be.

The group considered the management options set out in Val's report and discussed other approaches, e.g. modelling the probability distribution of the length of the dry period at the time of shut off and applying this model to groundwater takes. Difficulty lay in calculating the likely extent of a dry period

It was recognised that any method that acknowledged points of difference would be complicated and may include various factors, e.g. distance from river, soils and transmissivity, rate of pumping, time of year, etc.

The group discussed options of requiring an estimation of stream depletion effects, via either models or actual pump tests, to support resource consent applications. Val identified the technical requirements for pumping tests in order to estimate the rate of stream depletion, i.e. observation wells at 50-100 metres, specified duration of pumping, disposal of water beyond the cone of interference, etc. Francis advocated for a system that accounted for differences rather than one that treated all water takes alike. John Small suggested a middle ground approach whereby zones around specified water sources are developed and water takes within any specified zone are treated alike.

The group recognised that it needed to specify a management approach for all groundwater takes that have an effect on surface water flow, to avoid case by case litigation through the resource consent process in the future.

It agreed that option 1 from Val's report (all groundwater treated as surface water), amended to incorporate the suggested zone approach, would be appropriate for areas north of Wairau River including tributaries, for narrow valleys and for some parts of the Lower Waihopai.

As a variation to option 2 (groundwater unrestricted), John Bright suggested the cumulative effect of all the stream depletion for the Wairau River is identified and the SFR increased by this quantum. This would eliminate the need to restrict groundwater takes because the effect on the surface water bodies is accounted for. It was recognised however that this approach would make surface water takes less reliable, which could incentivise water users to move to groundwater abstractions. The SFR would be increased as the number of the groundwater abstractions increase. Val cautioned the downside to this approach would be reduced reliability for existing Class B surface water takes, e.g. SVIS, Ara, Wairau Valley Water Enhancement Scheme. Francis added that this method would have to define a zone in close connection to the related water body in which abstractions were defined as a surface take.

Val confirmed that to date there have been no issues relating to any type of water allocation above the Waihopai confluence. All water takes in this area are managed as surface water takes now and this approach appears to be accepted by water users. The group decided that if this approach worked and was accepted by water users then it was appropriate for it to continue. In other words,

groundwater takes upstream of the Waihopai confluence could be managed in accordance with Option 1 in Val's report.

It was then acknowledged that the outstanding areas in terms of stream depletion effects on the Wairau River were the north and south bank downstream of the Waihopai River confluence.

The group requested that the water users affected by management option 2, as amended above, be identified and the scale of effect of existing water takes on Wairau River flow downstream of the Waihopai confluence be estimated and possible mitigation of these effects. Val and Peter to investigate and bring their findings back to the group at the next meeting.

Pere reminded the group that the effect of takes on smaller tributaries was also a management consideration. The group had already discussed the effect of takes in very close proximity to Mill Stream and Doctors Creek. A method of quantifying those effects and, where necessary, applying the default minimum flows should be considered.

3. Wairau River Allocation Status and Reliability Background Paper – Val Wadsworth

Val tabled a document entitled Wairau River Allocation Status and Reliability Background Paper – refer Appendix 2.

John Patterson suggested, as a means of preserving reliability for existing water users, that it be assumed the calculated stream depletion value of existing groundwater takes already forms part of the current SFR. Only new consents would be subject to an increased SFR. A negative to this approach will likely be that existing water users oppose any new consent application because each new abstraction may erode the reliability of their Class B takes. Additionally, with each new consent to take water, the SFR would continue to be increased, and correspondingly the surface water take reliability will continue to decrease. In terms of administration, each time the SFR changed the related resource consents would need to be called in to change the consent conditions.

Bala reasoned that the clawing back of water allocations coupled with the improvements in water management meant a significant increase in water usage was unlikely.

The group discussed the allocation for the Blenheim community water supply. Pere explained that the Plan will provide a strategic allocation for community water of a specific volume without restrictions. The group discussed the inequity between rural water users who face restrictions/shut offs during dry periods while those utilising the urban water supply continue to do so unrestricted. The Blenheim water supply is currently provided for by a resource consent which has a stepped allocation over the term of the consent to provide for increases in population. Pere said that while the RM plan does not provide for restrictions it does not preclude other non-regulatory management methods being imposed in these situations. The group needed to consider whether to include methods for rationing municipal water supplies during periods of drought.

Pere presented a summary of the approach developed by the group in their discussion. After further discussion the method was modified and the following agreed upon:

Proposal:

1. Groundwater takes from north Marlborough catchments (e.g., Rai, Pelorus, Kaituna) are treated as a surface water take. *All*.
2. Groundwater takes in the Wairau Valley (north and south bank) above the confluence with the Waihopai River are treated as a surface water take and attract the existing 8 cumec limit that applies to surface water takes from the Wairau River as measured at Tuamarina.
3. Given 2, that the effect of remaining existing groundwater takes on surface water flow in the Wairau River (north and south bank) be quantified. A stream depletion allocation (equivalent to quantified effect) could then be created. *John B*

4. If the allocation in 3 applies, and is then applied to the minimum flow for the Wairau River (i.e., increases the minimum flow), then this can only apply if there is an upstream monitoring site. Consider in context of Cawthron report. *John B*
5. New groundwater take proposals will have to consider effects on surface water.
6. That takes in "close proximity" to the Wairau River be treated as a surface water take from the Wairau River. Have to work out how to establish an appropriate distance. *Francis*
7. That groundwater takes in close proximity to tributaries go through a stream depletion calculation and takes above a specified threshold attract surface water management (i.e., minimum flow for the tributary or Wairau Class B).
8. That a method be developed that compels water conservation measures for urban water supplies (e.g., Blenheim, Renwick, Wairau Valley) as thresholds for Wairau Aquifer approached/reached. *All*

4. **Review of the Wairau River Sustainable Flow Regime Report – Val Wadsworth**

Val tabled a document entitled Wairau Sustainable Flow Regime – Summary of Cawthron Report, copy attached – refer Appendix 3. Val spoke to his summary of the Cawthron report – refer Appendix 3A.

The group discussed aspects of the report, including:

- Item 1 – The river flows above Tuamarina are sufficiently resilient to justify retention of the current SFR of 8 cumec at this location. Any further reduction of SFR could only happen after robust scientific investigation etc. Retaining status quo best option. Environmental monitoring data supports this approach. Explanation required on retention of status quo instead of adopting SFR recommended in report.
- Item 3 - Alternative upstream monitoring sites at the Wash Bridge, the Narrow and Dip Flat; and the pros and cons of each site. Possible the Wash Bridge site will need to be relocated to Dip Flat with a correlating change to the SFR.
- Item 5 – Possible location of a large holding pond to offset hydro-peaking on the Wairau River.
- Item 7 – Splitting the Class B allocation in two. Existing takes grandfathered into Class B1 and new takes classified Class B2. Discussion required on the allocation to the river and the minimum flow for the Narrows reach. Class C possibly takes able to transition into into B2 Class. Class C retained for water taken to storage. Class B1 effective upon notification of Plan. Class B2 becomes effective when Plan becomes operative.
- Item 8 – Clarification required in terms of what is meant by 'flow sharing' in the report.

The possibility of customising the flow sharing regime to meet the needs specific to individual rivers. Recognising there may be different reasons for flow sharing other than aquatic values, e.g. potential to increase reliability for B Class water users. 2:1 is the status quo. A 1:1 flow sharing regime will benefit irrigators; a 3:1 or 4:1 regime would have instream benefits. Likely to retain status quo. Val agreed to work up flow sharing examples for the Wairau, Awatere and Waihopai Rivers showing 1:1, 2:1 and 3:1 scenarios to show what effect the various flow sharing regimes will have on the variability of the river flows and reliability of supply.

The report suggests rationing on the Wairau River not required because the downstream monitoring site will be self-rationing. This could result in a turn on/shut off repeating sequence when river levels drop to the SFR. Discussed option of an 8 cumec shut off trigger and 10 cumec resumption level. Opportunity for water users to work together to self-ration to avoid shut offs as river level approaches SFR.

Possibility of adapting the banding regime as an alternative to flow sharing.

Val agreed to take the above points back to Cawthron to incorporate into the report.

5. Consent Design – John Bright

Refer Appendix 7.

John presented a notional example representative of an irrigated farm taking water directly from the Awatere River and with a feed through to storage. In this example, when there is no immediate use for the entire direct take, the water is fed into storage as replenishment and the storage is then drawn down when the river can't deliver. The example irrigates a mix of viticulture and pasture and crops. John explained that any variations to the crops types, e.g. all viticulture or all crop and pasture would affect the use consent only; the take consent would remain unaffected.

In the example the water is taken at a flow rate of take of 77.5 litres per second, comprised of two consents, one each for the Class A (57.5l/s) and Class B (20l/s) water takes. The total volume of water actually taken and used in any given month is defined by the use consent. The total volume of water use includes water taken from the storage to irrigation, i.e. water to storage is not the actual consented activity. The total volume of water taken cannot exceed the total volume provided for in the use consent.

John explained that the example provided the consent holder opportunity to transfer any unused water to other consent holders. Given the unpredictability of water availability on any given property, John reasoned it was more efficient for the consent holders to transfer water amongst themselves as opportunities arise (subject to Council approval) than to rely on Council to perform this role.

The first round of consents under the new regime will use Irricalc to determine the usage volumes for a water year. Thereafter, consents on renewal will take into account the water use records.

The group discussed the example and made the following points:

- At times of Class B cut off, the group considered that a more practical approach would be to retain the rate of take but to reduce the water use volumes.
- An option would be to define the months of the year that water can be taken on the take consents, i.e. the irrigation season plus pre and post season requirements. This would free up water for other allocations. The winter months could be the subject of Class C takes for storage taking at reduced rate of flow rather than allocating a take at the higher rate for the entire water year.
- Water transferred to another user would be on the basis the transferee holds a use consent for the same activity type, e.g. irrigation. Cannot transfer water to put to storage when there is no established use for the water.
- Where water is transferred to go to storage to be used for irrigation, the rate of take is governed by the transferors consent. An anomaly occurs when the transferees use consent stipulates a lower rate of use for irrigation. The rate of use for irrigation dictates the rate at which a dam can be filled. The transferees flow rate on the take consent should reflect the maximum the property infrastructure can operate at, regardless of the rate set on the use consent, in order to maximise transfer opportunities as they occur.

Rachel and John to provide further examples of other consents taking into account the points raised in the above discussion.

6. Consolidated draft RPS provisions – Pere Hawes

Copy attached – refer Appendix 4.

Pere left the meeting at 2.00pm. This item deferred to the next meeting. The group members present requested that this item be early in the agenda at the next meeting.

7. Draft RMP Rules – Rachel Anderson

Copy attached – refer Appendix 5.

Rachel provided an overview of the draft rules package. She explained that the group have seen these various rules previously, the rules have been compiled into one package to be considered collectively.

The group discussed the package and made the following points/amendments:

Permitted Activities

Rule 1.2 – Amend this rule to reflect that multiple dwellings could exist on a rural producing property owned and operated as a single unit but may be comprised of multiple contiguous Computer Freehold Titles.

Rule 2.4 – An example of when this rule would apply is when water is taken for dust suppression purposes when Council is undertaking road works.

Rule 5 – May need revising to a performance standard to reflect the groups discussion regarding water from dams, see above.

Rule 7.6 – There are approximately ten Groundwater Protections Areas mapped for inclusion in the Plan. These areas are associated with municipal supply wells.

Rule 9.2 – Amend this rule to include ephemeral and intermittently flowing waterways.

Prohibited Activities

Rule 2 – Delete this rule as it is covered by rule 1?

Rule 3 – The group discussed the applicability of including Lake Elterwater in the list of four waterbodies under this rule. The group agreed that this rule should extend to associated tributaries of any water body listed under this rule.

Rule 3, 6 and 8 – Peter Hamill is working on identifying the values of the water bodies listed in this rule. The group deferred consideration of these rules until Peter joins the group to discuss, and also to ensure Neil is available to attend the same meeting.

8. Other Issues to Consider

Rachel explained that the following were items that have not been considered by the group in terms of whether and how they should be accommodated in the Plan.

- Dairy shed wash-down water

This relates to taking water for dairy shed wash down. John Small estimated 10 cubic metres per milking for 250 cows for plant wash down, etc. He added there was a DairyNZ recommendation for what was reasonable water usage. John advised that Environment Waikato had notified a plan change that dealt with this issue. The group considered this volume was not significant generally with the exception of water short/small catchments.

- Dewatering

This may relate to emptying of dams or removing surplus water as part of drain/infrastructure management. The group identified differences between short term construction related dewatering and long term dewatering of wet areas or large volume dewatering, e.g. dams. Consideration needed on the development of performance standards, circumstances under which dewatering could potentially occur and the possible effects. Dewatering dams is likely to fall under discharge permit provisions.

- Non-consumptive water takes

Examples of non-consumptive water takes are heat exchange systems and micro-hydro operations. Small activities where there is little or no change to the water quality, where the take and discharge points are in relatively close proximity. Work required to define 'non-consumptive' in the Plan.

9. Community Meetings – Pere Hawes

This item deferred to the next meeting.

10. Other Matters

- Managing take, use dam and divert from water bodies with high natural character

Rachel advised Pere was waiting on feedback from Neil and Peter Hamill before bringing this item back to the group.

- Infiltration Trench Investigation

Val explained that Aqualinc has completed a study on infiltration galleries in Marlborough, with a view to improving the current methodologies in order to reduce the number of times they have to be cleaned out or rebuilt. Consideration was given in the report to the factors that would determine whether a gallery, well or a surface water intake was required. The report then considered the Marlborough situation and identified where some improvement on current methods was warranted.

The report has been presented to Council and is available for the community and Council to use as guidance material. The report will be uploaded onto Council's website and copies are available on request.

- The next meeting is scheduled for Wednesday 18 June 2014.

Sounds Advisory Group

(Report prepared by Alan Johnson)

C230-001-M02

Meeting Notes of the Sounds Advisory Group, held at Marlborough District Council on Monday 12 May 2014 commencing at 9.00 am

Present: Councillor Trevor Hook (Chairperson), Moneen Wedge, Ian Mitchell, David Hayes, Graeme Coates (until 1.00 pm), Rob Schuckard, Tim Greenhough, Linda Booth, Rachel Drake, Judy Hellstrom, Kristen Gerard, Robin Cox, Councillors Graeme Barsanti (until 2.00 pm), Peter Jerram David Oddie.

MDC Staff: Alan Johnson, Steve Urlich, Pere Hawes, Jonathon Underwood and Beate Gregory (Secretary)

Apologies: Poneke Rene, Ron Sutherland, Eric Jorgensen, Victor Koller, Joe Heberley, Ken Roush, Raymond Smith, Lynley Perkins, Councillors Jenny Andrews and Laressa Shenfield.

Actions from Last Meeting

Marine Significant Areas – East Bay Brachiopods be included as a priority -Steve Urlich is reviewing these projects and all has been taken into consideration.

Cemeteries – Some private cemeteries may be placed on the Council database but it is still work in progress.

Wilding Pines on Road Reserve – The Marlborough Roads contractor has been instructed to either remove or poison wilding pines that are over 1 metre tall, this was written into their contract.

Road Markings – Two tarsealed roads will have arrows painted on the road by October this year.

Open Drain - Tarseal has been reinstated on Hakahaka Road.

Dog Fencing – Between the Department of Conservation, Dog Control and Families in Hakahaka Bay it has been decided that the areas in question (dog exercise area and Sounds Foreshore Reserve) all require for dogs to be on the lead.

General Feedback from Last Meeting

Kristen mentioned that the Biosecurity Hygiene Fact Sheet is a great initiative but the message needs to be spread more widely and contractors require further education on what is required of them to prevent pest spread.

Regional Policy Update

Significant Marine Sites

The previous Plan Review Sub Committee put forward a proposal to prohibit bottom trawling and dredging in significant marine areas given the incompatibility between those fishing techniques and the bottom habitat. Pere has had on-going discussions with Ministry for Primary Industries. They have been working together to work out what degree of overlap exists between fishing efforts and those significant marine sites. On paper it appears that there is only a significant overlap in Croisilles and off shore from Ship Cove. The Planning Review Sub Committee had proposed a prohibition, which would be difficult to enforce especially for recreational fishers, so it would be more an educational type prohibition to encourage people not to fish in those areas. Fisheries have offered up an alternative to consider, which is using mechanisms under the Fisheries Act as opposed to the Resource Management Act. These are directly enforceable. Pere is waiting on confirmation from the Ministry for Primary Industries about the level of overlap between those significant marine sites and fishing efforts.

Monyeen suggested for certain areas, like breeding areas, to be always off limits which simplifies the issues for recreational fishers and commercial fisheries.

Landscape

There has been an on-going process with affected landowners in terms of landscape management and also the level of community engagement. As a result of that feedback staff had put to the Regional Planning and Development Committee an amended approach to take that community feedback into account. The other area of debate is on the prohibition on new forestry. Statistics indicate that only one application for a new forestry consent was received in the last five years and none in the previous five years. There are some landowners that want to retain the opportunity to diversify and that diversification may not be with native species.

There were some discussions concerning what the difference is between new consents for establishing forestry or forestry already established (formerly this was called a Permitted Activity). As long as the Permitted Activity was lawfully established the forestry can be replanted providing it does not increase in size.

This Council is a unitary Council and has Regional Council functions. There are some limited circumstances where a Regional Council can impose land use controls that have a retrospective effect and relevant for the Sounds are the Soil and Water Conservation controls.

Judy expressed her concern that in some Tory Channel bays forestry left a mess after the harvesting of trees. Some are left on the foreshore reserve or have fallen into crevices. Blocks seem

abandoned with a considerable regrowth of wilding pines. Pere advised that some forestry blocks in the Sounds are only marginally economical to harvest and contractors are trying to get the timber off the block as cheaply as possible.

Kristen considers that some forestry blocks have been planted in the past in very inappropriate locations and forestry workers are trying to do their best in extremely difficult circumstances. There are lessons to be learned for the future.

Trevor pointed out that the best practice industry guidelines have recently been reviewed but it requires industry buy in as well and a shift in attitude and changes to be made for a better way of harvesting. A leadership meeting with the Wood Sector will be held on Wednesday 14 May 2014.

Pere mentioned that Central Government is doing their own work on regulating forestry activities and there is a potential for a National Standard of Forestry. The difficulty that Central Government is facing is the environmental conditions vary dramatically within a region let alone across regions.

Management of Marine Farming

The process was started but was paused during the King Salmon process. Marine farming in Marlborough is a relatively mature industry and Council will go out to the industry in the next months with the draft provisions and kick start the process of community engagement. Possibly the first port of call will be this Group, and if the Group believes it is warranted, a specific workshop could be arranged on marine farming.

The majority of the Group was interested and Pere, with Alan, will coordinate a meeting in July.

King Salmon Decision

Pere advised that the Supreme Court has ruled on the two appeals for NZKS. The Sustain Our Sounds appeal was unsuccessful. The Environmental Defence Society was successful and a fourth site, Papatua/Port Gore was lost as the Supreme Court said the Environmental Protection Agency had not given consideration to the New Zealand Coastal Policy statement and the outstanding natural landscape.

Rob asked for clarification on Papatua, under the treaty there is one area called ASA which is gazetted, what does this mean? Pere responded that three sites were gazetted for salmon settlement - 20% of any future allocation for marine farming is allocated to iwi and to provide for that space the Crown has reserved particular locations throughout the Sounds for oysters, mussels and salmon. The three sites are all in CMZ1, with one of either side of Tuera Point and one in Port Gore. These sites all have significant landscape and natural character. However the Resource Management Act process still applies in these gazetted areas, so if iwi wanted to establish a salmon farm in any of those three locations they would have to go through a plan change process.

Mussel Shell Fertiliser

Kristen handed out samples of the mussel shell fertiliser, a copy of an article on the farmer (Bill Brownlee) producing the fertiliser, a photo of a truck spreading the fertiliser and an analysis of the fertiliser. Kristen pointed out that she is in no way connected to the production.

The mussel shell pile near Havelock is widely known within Marlborough; Bill acquired a new grinder around 6 months ago and has been able since then to grind green shell mussels into a fine powder. This product has been spread on some of Kristen's farm by truck and plane. It is hoped that the product becomes part of the nutrient cycle. It also reduces transport costs as lime previously was sourced from Murchison and Clarence. The product sells for around \$50.00 a tonne.

Council and Bill are working on a new resource consent as the product has great potential.

Sounds Integrated Management

Kristen requested an update on this project. David told the group that he sits in on the meetings but is not part of the Committee so he can only comment from an observer's point of view. The group is coming to the Annual Plan process this year to report on where they are at financially, where they are

currently and what they hope to achieve in the future. They are presently looking for a facilitator and require funding for this. The Group is planning to set up a website for information to be inputted.

Rob asked about the objectives for the group to which David responded that the group in the scheme of things is just getting off the ground. David Hayes advised that he would undertake to see whether there are any avenues within the Department of Conservation to provide funding. He felt a facilitator is required. Peter felt it would be an opportune time to approach the Minister for the Environment for funding as the Kaipuka reserve is opening in Kaikoura.

Judy mentioned that a community/industry/iwi governance forum in Horaki Gulf is trialling software called Marine Spatial Planning which is working very well. The Department of Conservation owns the licence for this software and it may be useful for the Sounds Integrated Management Group.

Marine Biosecurity Update

Jono provided an update on the two recent, ongoing marine pest incursions in Marlborough, as well outlining a possible marine pest surveillance initiative that the Sounds community could assist with.

The first is an invasive sea squirt called *Styela clava* that was found in Picton Marina in June 2013. Because of the good structure set up under the Top of the South Marine Biosecurity Partnership, the response was fast and well-coordinated. Council was the lead agency with support from the Ministry for Primary Industries, Port Marlborough, Marine Farming Association as well as in-kind support from the Department of Conservation. The first dive survey discovered 99 individuals which were all removed by the divers. While the agencies were working through a decision on longer term options, a further two dive surveys were carried out in September 2013 and December 2013 discovering 15 and 3 individuals respectively.

In January 2014 a Long Term Management Plan (LTMP) was signed by the parties mentioned earlier with an objective to suppress the population in Picton Marina by undertaking two dive surveys per year. The first of these was due this month however, a recent find of *Styela* in Waikawa has put this plan on hold while the LTMP leadership makes a decision on how to proceed.

In February 2014 another marine pest Mediterranean fanworm (also known as 'Sabella') was discovered on a vessel moored in Waikawa Bay. Again, a response was initiated between Council and the Ministry for Primary Industries. The vessel owners cooperated fully and voluntarily slipped the vessel for cleaning and anti-fouling. In total 16 fanworm were removed from the vessel's hull. Early indications are that the vessel has been in Waikawa for 2 years. A total of 4 days of diving were carried out in Waikawa Bay and Marina with no further fanworm discovered. However, 6 *Styela* were found and removed and this information handed to the Picton LTMP team.

In both these instances, the discoveries were mostly by chance as there is not the resource currently available for a dedicated surveillance programme, especially in the coves and bays of the wider Sounds. After a discussion with Monyeen Wedge, it was thought there may be room for an initiative where suitable resources, training and/or procedures could be developed to entice enthusiastic recreational divers, dive clubs or commercial operators to feed information back of what they discover during their own underwater activities. For example, doing a check of their own moorings or ones in their bay and then if they find something suspicious, knowing who to get in touch with.

The question was asked whether there would be support for something along these lines to occur?

In general there was support for such a concept. It was also motioned that contact could be made with the Tennyson Inlet Boat Club who can communicate with its members.

A cautionary note was added by Graeme Coates regarding Occupational Health & Safety requirements, especially if 'volunteers' were deemed to be engaged to undertake surveillance.

Jono advised that there would be a clear line drawn in that only procedures, information and education would be provided. The actual surveillance would not be requested but undertaken at the free will of any community members interested in doing it. For example – "if you would like to do something different underwater, try looking for a marine pest that may be in your bay. This is how you go about it...".

Linda mentioned that she would be happy to include this in her newsletter which reaches around 200 members in the Tennyson area.

Biosecurity Fact Sheet

Alan explained that at the last Port Underwood meeting discussions were held regarding biosecurity guidelines. After some more consultation the final version is now available. Kay emailed the link to the members a couple of weeks ago and hard copies are available. Linda requested for 200 hard copies to be mailed out to her.

DOC Update

Staff

Robin advised that the Sounds staff has maintained a high level of moral but are feeling a bit stretched with all the activity underway and proposed projects. Work is underway to improve the staff accommodation on Maud Island, Pelorus Bridge and Momorangi.

In addition to the normal work the following is underway:

- Preparation for the mice eradication project on Maud;
- Possible poisoning in Tennyson;
- Monitoring on Blumine for the possum incursion; and
- Extra vigilant quarantine operation.

None of these were known about when the Department was reorganized last year.

Adverse effects caused by weather, in other parts of the country, has also drawn on local staff. Chainsaw teams have and are going to the West Coast to open popular tracks closed by storm damage.

Weeds

The spartina team completed their work for the year at the end of March with about half the spartina found compared to the previous year.

The weed team spent a 10 day roster on D'Urville undertaking the normal annual old Man's beard control. In the reorganized Department these people now do a wide range of monitoring, including predator monitoring on the pest free islands.

A check of the tradescantia sites on Stephens Island revealed that the weed has not been eradicated. A few plants were found over the bluffs which has delayed the declaration that the island is tradescantia free.

Landowners are still being assisted to poison pines on their freehold land. A land owner in South East Bay embarked on the eradication of pine over a large area over Easter using DOC drills and chemicals. After Easter I was advised that they were intending to purchase their own drill. In Endeavour Inlet another large land owner is poisoning pine using DOC equipment as a major restoration project. Communities are undertaking Old Mans Beard Control at Moetapu and along the Kenepuru Road.

Predator Control

The major conservation concern is the mice invasion on Maud. How it happened is unknown but the quarantining for all the pest free island has increased significantly. The resource consent to allow the aerial application of brodifacoum has been obtained and most details sorted for the winter poison operation.

The Battle for the Birds national program is gearing up as the indications are it will be a major mast year with a massive increase of both rats and stoats. The only area in the Sounds is the 4500 hectare

Mt Stanley area. Nationally 23 areas are to be poisoned covering 700,000 hectares, but only if surveys show a significant increase in rat numbers.

For the Tennyson site, information from seed collection trays indicate that up to 200kg of seed may be produced per hectare. Surveys on rat numbers indicate a 0% residual rat catch in November 2013, 4% in March 2014, and a survey in June for the final decision to be made. The control site on Editor Hill had a 36% residual catch rate in November and 24% in March. Major management changes for this year's operation, if it proceeds, will be closing the Nydia Track. This raises the fact that it is legal road and a great set back along the track for the aerielly applied toxin, with a later hand applied infill.

Judy mentioned that there is a presentation available on the Able Tasman Project which deals with this pest problem. .

Linda said her group has been working with Robin and DOC to undertake the eradication of pests and weeds for the three Tennyson Inlet Islands

The number of possums caught on Blumine has now increased to 3 with the last juvenile being caught on 31 March. DNA testing has shown that the 3 possums were related and the only explanation for them being there was deliberate placement. The closest land, Arapawa, is possum free as far as we know.

Trevor advised Robin of an email received by a D'Urville Island resident. It talked about the proposal of hand distributing 1080 at Kiori, apparently this was decided at their last resident meeting. Another meeting is being held at the end of the month and it is recommended for DOC to attend the meeting as the proposal for using 1080 is causing some unrest in the community. Robin will follow this up.

Endangered Species

It is very pleasing to advise that the Department does not charge for wildlife permits being sought by groups involved in conservation projects. Commercial operations will continue to be invoiced. Yellow Crowned Parakeeks have been transferred from Lochmara Lodge to the Abel Tasman Project Janzoon. More yellow crested Parakeeks have been transferred from Long Island to Tui Nature Reserve with the young produced also going on to Project Janzoon.

The Kiwi Recovery Group has recommended that little spotted kiwi be transferred from Long Island to the private Cape Kidnappers predator fenced area. The approval of the local iwi is required before this can go ahead.

Community Conservation Partnership Fund

The Minister of Conservation introduced this fund several months ago which is a revamp of earlier funding schemes.

The criteria have been widened to include recreation and work on the DOC estate. Applications had to be in Wellington by early May and actual numbers that applied have not been notified to my level. However from conversations it would appear that something like 6 Sounds groups have applied for funding. Organizations like Linked Pathway now qualify to apply, whereas in the past they did not.

Community Assistance

We are very lucky in the Sounds to have a great number of associations with community groups and business. Progress on some of the newer and more major ones follow:

- 1) Outward Bound were involved with the cleaning up of the Whatamongo Campground after the Easter storm event.
- 2) The King Salmon supported viewing platform in Endeavour Inlet has community approval. The plan is being checked by DOC engineers and when their comments are known the materials will be purchased. NMIT students will pre-cut and then build the structure, with hopefully the help of Outward Bound Students to move the material from the coast to the building site.
- 3) OMV, a drilling and exploration company, has agreed to contribute \$55,000 to a DOC and Ngati Koata project to replant the swamp area at Moawhitu, Durville Island. Iwi have a fishing

reserve in the area and also a very close interest in the local eel fishery. This company uses Admiralty Bay as a staging area for their large drilling rigs.

Recreation

The storms over Easter resulted in extra work for staff in the Sounds with less staff to cope with, as teams were sent to more highly used sites. Pelorus Valley and the Nydia Track received the most damage, but the Queen Charlotte Track was not unscathed. Nydia and the Queen Charlotte Track have now been cleared, but the Pelorus will have to wait, probably to the end of May.

In addition to the Whatamango Campground being flooded so was French Pass. Volunteers cleaned up the French Pass site.

The improvements to the Queen Charlotte Track continue between Resolution Bay and the Pines. This year's work is expected to be completed by the end of May.

Judy commented on the damage a 3½ tonne digger has done to the track, which is believed to have been established back in 1890 with benches cut by miners. It has exposed drops on the track and is dangerous especially for bicycle users. Robin will look into this and get back to Bea for the distribution of information.

The recruitment of volunteer camp ground hosts at the main camp grounds and Nydia Lodge is now over. This can only be described as a great success and a model for other organizations to follow. Not only did it increase revenue but the facilities were maintained better and a person with some knowledge was available to answer questions.

General

For the Top of the South the Treaty of Waitangi Settlement was signed just before Easter. This is going to result in some challenging times as the Department tries to meet all the obligations agreed to with more limited resources. It is intended for managers to meet with iwi individually in the near future to chart the way forward. Blue Cod monitoring for the year is complete and the findings were as to be expected, more and larger fish were caught and released outside the marine reserve.

The annual whale survey is being planned and it is believed that Joe Heberley is overseas now, so he can take part.

Robin circulated hand outs on the Battle for our Birds project designed by DOC.

NZKS Best Practice Guidelines

Steve had prepared a Power Point presentation to the group. One of the slides talked about the above.

NZ King Salmon at their initiative and with Council support are developing Best Practice Guidelines for salmon farm management in response to community concerns about environment effects. As part of the process Rob and Eric were invited to sit on two different working groups (Monitoring and Standards, and Farming Operations). The aim is to give the community assurance that salmon farming is done to the best possible standard. Both working groups have almost finished the draft of the Best Practice Guidelines and will present the draft to two international experts, Professor Kenneth Black (for Council and Dr Catriona Macleod (for University of Tasmania). Once the expert comments are received they will be incorporated and the guidelines will then be sent out to members of the wider working group (that met in December 2013) and the public (via the Council and the NZ King Salmon websites). The intention from there is to present the guidelines to the Environment Committee for endorsement or not. If approved, the guidelines will go into implementation phase.

Graeme Coates asked whether these guidelines would apply to all fin fish farms to which Steve responded that at present it will only apply to King Salmon farms.

Rob advised that the water column component of the guidelines has been parked for the time being and will be looked at in the 5 yearly review of the Best Practice Guidelines. He then outlined where he differed about the maximum level of enrichment permitted underneath salmon pens. He said he

would put an alternative view forward in the guidelines. He expressed that it was constructive to be involved in such a process to ensure the Sounds environment is being safeguarded.

Trevor thanked Rob for his input and hard work on the project and his approach.

Coastal Strategy Implementation

In 2012 Alan and Fleur Tiernan presented the Coastal Monitoring Strategy to the Environment Committee and it was signed off. This set out the objectives of what the Coastal Monitoring Strategy should look like.

Steve gave a Power Point Presentation on the proposed implementation of the strategy. This comprises a number of projects to better understand the effects of land use and aquaculture on the coastal environment. Steve invited SAG members to discuss any aspects of this with him directly.

Kristen thanked Steve and the Council for the Coastal Strategy Implementation Plan and the ongoing work and hopes it will be accepted. The group endorsed that sentiment.

General Discussions

Muddy Buddy

Graeme Barsanti said that Muddy Buddy was held on the edge of the Havelock Marina on 11 May 2014. It was very popular and people gained a good insight in to what type of plant and insect species are contained in mud.

Cow Droppings

Linda commented on the amount of cow droppings on their road. Farmers in Marlborough are bound by the Marlborough District Council stop crossing and droving bylaws. It appears that some farmers are not complying with this bylaw. Graeme Barsanti is aware of this and has spoken with Marlborough Roads and is following this up.

Moorings and Jetties

Judy had three questions on mooring and jetty renewals. Firstly the length of consents. She is aware of two local identical jetties where one received a 35 year consent and the other 15 years. She questioned the range of consent times and what is the policy that underpins these decisions. Judy will provide the details of the jetties for Alan to look into.

The next question referred to jetty drop off and pickups. Judy wondered why anyone would trouble themselves to be a consent holder, as anyone can use the jetty. Trevor advised that as jetties are located on public land they are required to be available for use by the public.

Lastly, when applying for a new mooring the current mooring drops off Smart Maps. Alan said in legal terms the consent is valid until the expiry date. However on entering the new application into the Council system the current mooring disappears from view, once approved the new mooring consent goes back into Smart Maps.

Linda queried whether bays could apply for new moorings in a bulk application as possible in previous years. Alan commented that bay wide consents can be applied for; however each specific mooring and details must be specified for the bay in the application.

Next Meeting

The next meeting to be held in the Committee Room at Marlborough District Council on Monday 11 August 2014.

The meeting for 10 November 2014 may be held in Mistletoe Bay, confirmation to follow.

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